

WILLIAM A. HAAG

OCTOBER 14 (legislative day, OCTOBER 12), 1943.—Ordered to be printed

Mr. WILSON, from the Committee on Claims, submitted the following

REPORT

[To accompany S. 1077]

The Committee on Claims, to whom was referred the bill (S. 1077) for the relief of William A. Haag, having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendments:

Page 2, line 4, after the word "injury" insert "alleged to have been".

Page 2, line 5, after the comma following "1939" insert "while pulling down an overhead fire door on an elevator shaft,".

Page 2, line 7, substitute a colon for the period after the word "Kansas" and insert "*Provided*, That no benefits hereunder shall accrue prior to the approval of this Act."

The purpose of the proposed legislation is designated to waive in favor of Mr. William A. Haag, the bar of the time limitations in sections 15 to 20, both inclusive, of the Employees' Compensation Act of September 7, 1916, as amended, and leaves the Commission free to determine the merits of Mr. Haag's claim, when filed and to afford him such measure of relief as the facts, when established, may show he is entitled to receive.

STATEMENT OF FACTS

While employed as assistant storekeeper in the shoe factory owned and operated by Federal Prison Industries, Inc., at the United States penitentiary, Leavenworth, Kans., at closing time on Friday, December 8, 1939, Mr. Haag sustained an injury while pulling down an overhead fire door on an elevator shaft. His statement of the injury was that "something snapped in his spine between his shoulder blades, causing excruciating pain." Mr. Haag had previously requested, and had been granted, annual leave of absence for the following day. He returned to work on December 13, at which time he mentioned the injury to his superior for the first time. He was informed by someone that a written report had to be filed within 48 hours but the then business manager of Federal Prison Industries, Inc., and the doctor

of the United States Public Service Hospital, located within the institution, told him that it was too late to file such a report. Under the circumstances your committee feel that it is only right and just that claimant be permitted to file his claim with the Commission, and it is accordingly recommended that the bill do pass.

Appended hereto is the report of the United States Employees' Compensation Commission and other pertinent evidence.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION,
New York City, July 12, 1943.

CHAIRMAN, COMMITTEE ON CLAIMS,
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: Reference is made to your request for the Commission's report upon the bill, S. 1077, for the relief of William A. Haag. The bill provides: "That the provisions and limitations of sections 15 to 20, both inclusive, of the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, are hereby waived in the case of William A. Haag, of Leavenworth, Kansas; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within one year after the date of the enactment of this Act, by or on behalf of the said William A. Haag for compensation or other benefits under the provisions of such Act of September 7, 1916, as amended, for disability due to an injury sustained by him on December 8, 1939, in the performance of his duties as a storekeeper at the United States Penitentiary at Leavenworth, Kansas."

The first information received by the Commission relating to Mr. Haag's disability was on May 25, 1942, more than 2 years and 5 months after the time of the alleged injury. It appears from correspondence and certain forms transmitted to the Commission by the Department of Justice that Mr. Haag is alleged to have sustained an injury to the back on December 8, 1939, while in the employ of the Department of Justice (Bureau of Prisons) as an assistant storekeeper at the United States penitentiary at Leavenworth, Kans.

It further appears that the accident is alleged to have occurred at approximately 4:15 p. m. on December 8, 1939, when Mr. Haag experienced severe pain in the back between the shoulders while pulling down a rolling steel fire door. The accident did not appear to be serious, for Mr. Haag returned to work after 4 days' leave. On January 19, 1943, the Commission received a letter signed by Dr. G. S. Baker, Mayo Clinic, Rochester, Minn., dated December 8, 1942, wherein it was stated that Mr. Haag's "symptoms were possibly related to an old compression fracture of the seventh cervical vertebra" and "resultant spinal cord lesions."

Since it did not appear that Mr. Haag had filed written notice of the alleged injury or claim for compensation within 1 year from the date thereof, as required by the mandatory provisions of sections 15 to 20, inclusive, of the Federal Employees' Compensation Act of September 7, 1916, the Commission was without authority of law to award him any benefits under said act.

The bill, S. 1077, is apparently designed merely to waive in favor of Mr. Haag the bar of time limitations in sections 15 to 20, inclusive, of the Federal Employees' Compensation Act of September 7, 1916, requiring notice of injury and claim for compensation to be filed within 1 year from the date of injury, and to leave the Commission free to determine the merits of his claim and to afford him such measure of relief as the facts, when established, may show him to be entitled to under the provisions of the act of September 7, 1916.

In thus viewing the bill, the Commission interprets the expression "for disability due to an injury sustained by him on December 8, 1939," in lines 4 and 5, page 2, of said bill as descriptive only and as serving merely to identify the alleged injury. As, however, it is sometimes contended that similar language constitutes a legislative determination of the fact of injury so as to preclude the Commission from determining the facts relative thereto, it is suggested that after the word "injury" in line 4 on page 2 of said bill, there be inserted the words "alleged to have been."

It is noted that the bill contains no reference to the nature of the injury on account of which it proposes to extend relief. Such reference is customary and it is suggested that it be added for the purpose of the record and for identification of the case.

It is further noted that there is no provision in the bill indicating the date from which benefits thereunder shall begin to accrue, if the Commission should find the claim to be one coming within the provisions of said act. If it is intended that the benefits shall not begin to accrue earlier than as of the date of the enactment of the bill, such intention should be stated in the bill, as otherwise the Commission apparently would be required to pay compensation benefits beginning as of the date of the injury.

In view of the foregoing, the Commission makes no recommendation as to the advisability of the enactment of bill, S. 1077.

This report has been submitted to the Bureau of the Budget pursuant to Budget Circular No. 390, dated June 1, 1942, and has been returned with the advice that if the bill is revised to provide that any compensation that may be awarded would not become effective prior to the date of the approval of the legislation, such enactment would not be in conflict with the program of the President.

Very truly yours,

(Mrs.) JEWELL W. SWOFFORD, Chairman.

DEPARTMENT OF JUSTICE,
Washington, D. C., August 23, 1943.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Claims, United States Senate,
Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of this Department relative to a bill (S. 1077), for the relief of William A. Haag.

The bill is designed to waive the provisions and limitations of sections 15 to 20, both inclusive, of the Employees' Compensation Act of September 7, 1916, as amended (39 Stat. 742, 746-747; 42 Id. 650; U. S. C., title 8, secs. 765-770), in connection with the claim of William A. Haag of Leavenworth, Kans., for compensation on account of an injury sustained by him in the performance of his duties as a storekeeper at the United States penitentiary, Leavenworth, Kans. The bill also authorizes and directs the United States Employees' Compensation Commission to consider and act upon any claim filed with the Commission within 1 year from its enactment, by or on behalf of William A. Haag on account of the above-mentioned injury. Sections 15 to 20 of the Employees' Compensation Act, *supra*, prescribe a time limit of 40 days in which notice of an injury must be given, unless good cause for further delay is shown, in order to receive compensation, and also fix a period of 1 year after the injury during which period claims must be filed in order to receive consideration.

The records of this Department show that William A. Haag, assistant storekeeper in the shoe factory owned and operated by Federal Prison Industries, Inc., at the United States Penitentiary, Leavenworth, Kans., at closing time on Friday, December 8, 1939, sustained an injury while pulling down an overhead fire door on an elevator shaft. His statement of the injury was that "something snapped in his spine between his shoulder blades, causing excruciating pain." The only other person present at the time of the injury was Ted Baldwin, inmate No. 31260, who was subsequently released and whose whereabouts is unknown. Mr. Haag had previously requested, and had been granted, annual leave of absence for the following day, Saturday, December 9. He returned to work on December 13, at which time he mentioned the injury to his superior for the first time. He states that he was told by someone that a written report had to be made within 48 hours and that it was too late. In any event, 48 hours having elapsed and he having no apparent disability other than a stiff and sore back, no written report was filed. The records of this Department further show that during the period from December 1939 to about October 1941 Mr. Haag had three distinct and severe attacks, and that late in 1941 he began to suffer from progressive paralysis of the legs, loss of sensation in the arms and legs, and intestinal paralysis.

Early in 1942 he registered at the Mayo Clinic in Rochester, Minn., where he subsequently underwent an operation known as a right cervical laminectomy. In a certificate dated December 8, 1942, Dr. G. S. Baker of the Mayo Clinic, after reviewing the medical survey conducted on Mr. Haag at the clinic, noted: "On January 26, a right unilateral cervical laminectomy was performed and the sixth and seventh cervical segments were explored. We found that there

had been a compression of the cord at this level and multiple adhesions were found in this area, but search in the extradural portion for tumor was nonproductive. In view of the finding of so much dense scar tissue about the cord which had produced a complete block, we felt that the symptoms were possibly related to an old compressed fracture of the seventh cervical vertebra, and the resultant spinal cord lesions were secondary to this."

It appears that Mr. Haag suffered to a considerable extent from the time of the injury and became slowly but progressively worse until the operation was performed. It is clear that the seriousness of the injury was not realized by Mr. Haag or his superior officers or the doctor who attended him within the 1-year time limitation provided in section 20 of the Employees' Compensation Act. There appears, however, to be little doubt that his subsequent disability was due to the injury sustained on December 8, 1939.

Under the above circumstances, the proposed legislation appears to be meritorious.

The Director of the Bureau of the Budget advises me that if the bill is revised to provide that any compensation that may be awarded would not become effective prior to the date of the approval of the legislation the enactment of the bill would not be in conflict with the program of the President.

Sincerely yours,

FRANCIS BIDDLE, *Attorney General.*

AFFIDAVIT OF WILLIAM A. HAAG

On December 8, 1939, near the close of the day's work, in pulling down an iron fire door at the entrance to the elevator shaft, in the basement of the furniture factory building of the Federal Prison Industries, Inc., United States penitentiary, Leavenworth, Kans., I wrenched my back, causing a severe pain in my spine between my shoulders. On December 9, 1939, I called Dr. C. A. Bennett to my home, and upon explaining to him what had happened and where, he examined my back and instructed me to remain in bed and apply heat for several days, which I did. On December 13, 1939, I reported back for duty, although my back was still very sore and painful.

Mr. Vincent, who was in charge of certain personnel matters in the office of the then business manager of Federal Prison Industries, Inc., United States penitentiary, Leavenworth, Kans., asked me to complete a leave-of-absence form, for sick leave, for the time I was off, which I did, and I then asked Mr. Vincent if there was some kind of a form which should be made out in reporting the injury. Mr. Vincent informed me there was a form but as it had to be made out within 48 hours following the injury that I was too late to make it out, but Mr. Vincent said "I will make a notation on the reverse side of the sick-leave form stating what had happened that in the event it becomes necessary we will have a record."

That same day, December 13, 1939, Mr. Shelton, on seeing me back on the job, inquired how my back was, and asked me if a report had been made of the injury. I informed him what Mr. Vincent said, and Mr. Shelton in reply said "you had better see about making out a report as one never knows what may turn out of such an injury." I went immediately to the United States Public Service Hospital, located within the institution, and informed Dr. Zellermayer what had happened and where and when. I then asked Dr. Zellermayer and Mr. Creppel about making out a form to report the injury, and the reply received from each was that 48 hours was the time limit and that I was too late to file such a report.

As time went on I was off duty several times due to severe pains in my back, and the last part of October 1941 I began to lose the use of my legs and paralysis set in from my waist down, but not at any time did the doctors in Leavenworth, Kans. and Kansas City, Mo., from whom I received treatment, state that my trouble was due to an accident which might have occurred, until last January 1942 when I went to the Mayo Clinic, Rochester, Minn., and upon examination by its doctors it was determined that my trouble was due to an accident or injury to the spine which caused a pressure on the nerve center. The doctors at the Mayo Clinic operated and removed cartilage and a piece of the spine in order to relieve pressure which by that time had caused almost a complete paralysis. The doctors at the Mayo Clinic informed me that had I gone on with the treatment I was receiving at home I would have been bedfast permanently in less than 4 months.

I do solemnly swear and affirm all of the foregoing statements and facts to be true to the best of my knowledge and belief.

WILLIAM A. HAAG.

State of KANSAS,
County of Leavenworth:

Subscribed and sworn to by William A. Haag in my presence this 24th day of November 1942.

[SEAL]

GEORGE D. EBERSTEIN, *Notary Public*.

My commission expires May 8, 1944.

LEAVENWORTH, KANS., December 19, 1942.

INVOICE FOR REIMBURSEMENT FOR MEDICAL EXPENSES AND TRANSPORTATION COSTS

The United States Employees' Compensation Commission, Dr.

To: William A. Haag, 934 Pottowatomie, Leavenworth, Kans., the sum of \$778.65.

Paid by William A. Haag to secure relief from an adverse state of health which developed as a result of an injury suffered Dec. 8, 1939, while on duty at the United States Penitentiary, Leavenworth, Kans., as follows, receipts attached hereto:

Sept. 30, 1941. St. John's Hospital, Leavenworth, Kans., for physiotherapy treatments-----	\$11. 00
Nov. 10, 1941. B. Landis Elliott, M. D., Kansas City, Mo., for Examination, consultation-----	15. 00
Dec. 13, 1941. B. Landis Elliott, M. D., Kansas City, Mo., for professional services rendered-----	3. 40
Jan. 25, 1942. St. Mary's Hospital, Rochester, Minn., for hospital services-----	12. 00
Feb. 9, 1942. St. Mary's Hospital, Rochester, Minn., for hospital services-----	92. 98
Feb. 14, 1942. St. John's Hospital, Leavenworth, Kans., for hospital services-----	24. 75
July 1, 1942. Weber's Pharmacy, Leavenworth, Kans., for drugs and prescriptions from December 1940, to January 1942-----	189. 37
Aug. 10, 1942. W. L. Pratt, M. D., Leavenworth, Kans., for professional services from June 25, 1941, to June 19, 1942, inclusive-----	150. 00
Aug. 14, 1942. Mayo Clinic, Rochester, Minn., for operation and medical services-----	250. 00
Railroad fare, Leavenworth, Kans., to Rochester, Minn., and return-----	21. 95
Pullman fare, Leavenworth, Kans., to Rochester, Minn., and return-----	8. 20
Total-----	778. 65

I certify that all of the moneys listed above were paid in connection with securing relief from my injury of December 8, 1939.

WILLIAM A. HAAG.

ST. JOHN'S HOSPITAL,
Leavenworth, Kans., August 8, 1941.

Mr. W. A. HAAG.

Physiotherapy treatments----- \$11

Paid, September 30, 1941.

Thank you.

ST. JOHN'S HOSPITAL.
Per SISTER M. STEPHEN.

Mr. W. A. HAAG, 934 Pottowatomie, Leavenworth, Kans. NOVEMBER 3, 1941.

To B. LANDIS ELLIOTT, M. D., DR.

KANSAS CITY, MO.

To professional services rendered:

Examination, consultation----- \$15

Paid by cash, November 10, 1941.

F. B. WHITE, *Secretary*.

NOVEMBER 30, 1941.

Mr. W. A. HAAG, 934 Pottowatomie, Leavenworth, Kans.

To B. LANDIS ELLIOTT, M. D., DR.

KANSAS CITY, MO.

To professional services rendered----- \$3. 40

Paid December 13, 1941.

F. B. WHITE, *Secretary*.

ST. MARY'S HOSPITAL

ROCHESTER, MINN.

Date: January 25, 1942.

Received on account of William A. Haag, \$12.

Hospital No. 7058-C. Room No. 254.

Paid.

ST. MARY'S HOSPITAL,
By A. M. P., *Cashier*.

ST. MARY'S HOSPITAL

ROCHESTER, MINN.

Date: February 9.

Received on account of William Haag, \$92.98.

Hospital No. 7058. Room No. 238S.

ST. MARY'S HOSPITAL,
By S. M. C., *Cashier*.

ST. JOHN'S HOSPITAL
Leavenworth, Kans., November 28, 1941.

Mr. W. A. HAAG.

Bill rendered----- \$24. 75

Paid February 14, 1942.

Thank you.

ST. JOHN'S HOSPITAL,
Per SISTER M. STEPHEN.

STATEMENT

LEAVENWORTH, KANS., 1942.

Mr. WILLIAM HAAG.

In account with

WEBER'S PHARMACY

Drugs and prescriptions from December 1940 to January 1942----- \$189. 37

Paid in full July 15, 1942.

L. F. W.

To W. A. Haag, 938 Pottawatomie, Leavenworth, Kans.

Fee for professional services: From June 25, 1941, to June 19, 1942, inclusive-----\$150

Paid in full August 10, 1942.

W. L. PRATT, M. D.

MAYO CLINIC

Rochester, Minn.

RECEIPT FOR PAYMENT

Mr. William A. Haag, 934 Pottawatomie, Leavenworth, Kans.

Registration No. 1-196-149.

Balance due after crediting payment \$90.

Amount paid: \$250.

AUGUST 14, 1942.

C. HARWICK.

ATTENDING PHYSICIAN'S REPORT

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

Name of claimant: William A. Haag. Age: 42. Marital status: Married.
Sex: Male.

Home address: 934 Pottawatomie Street. Date of injury: December 8, 1939.

Claimant's history of injury: While pulling down an overhead fire door on an elevator shaft something snapped in his spine between his shoulder blades causing excruciating pain.

Place of employment: Federal Prison Industries, Leavenworth, Kans.

Date of first visit: December 9, 1939. Hour: 10 a. m. Discharged: Returned to work December 13, 1939.

Findings due to trauma: Muscle spasm of back muscles with pain on pressure.

(a) Results of X-ray, laboratory examination: January 21, 1942, showed bony fracture of sixth cervical vertebra.

(b) Other disabilities: Gradually developed an almost total paralysis of lower extremities.

Type and frequency of treatment provided: Bony pressure removed by operation. Hospitalized: Yes. Date: January 25, 1942. Where: Rochester, Minn.

Date discharged: February 10, 1942.

Disability (describe in terms of function): Almost total inability to walk and intestinal paralysis.

Disabled for work: Yes. Began (date): October 30, 1941. In bed: January 25, 1942. Probable duration of disability for (a) light duty, February 30, 1941;

(b) usual duty, October 30, 1941.

Diagnosis (a) due to injury: Fracture of sixth cervical vertebra with cord compression. (b) Other: Nearly total paralysis of lower half of body.

Prognosis: Not good. Probable permanent effects: Partial paralysis.

Recommendations (treatment, hospitalization, reexamination): Light work, no lifting.

Signed: C. A. Bennett, M. D. Title: Appointed physician United States Employment Compensation Commission.

Date of report: December 17, 1942. Address: Leavenworth, Kansas.

MAYO CLINIC,
Rochester, Minn., December 8, 1942.

To Whom It May Concern:

This is to certify that Mr. William Haag of Leavenworth, Kans., registered at the Mayo Clinic on January 19, 1942. He was referred to the clinic by Dr. W. L. Pratt of Leavenworth. He has asked that a complete report be made out with reference to his case, and it is customary for the Mayo Clinic to write a detailed letter relative to the examination and treatment of patients rather than fill in the usual form blanks which are usually incomplete.

Mr. Haag consulted us because of progressive paralysis of the legs, loss of sensation in the arms and legs, and a progressive type of story since October 1941. According to our records, he stated that 2 years ago while reaching to shut a fire door in an elevator he felt a pain in the low back which extended into the buttocks and thighs to the knees. He had three distinct severe attacks in 2 years which lasted about 3 weeks and required medical attention. By October of 1941, he noted a stiffness of his knees and feet and felt as though he had been sitting in a crouched position. Immediately afterward, he noted that he had to drag his feet and they seemed spastic. He also noted jerking of the legs at night while in bed and also in the daytime. In November of 1941 there was a definite diminution of sensation of the arms and legs and some disturbance of the bowel and bladder. He was given a very complete general medical examination as well as neurologic and neurosurgical investigations.

From a neurologic standpoint he had a very definite lesion involving the cervical portion of the spinal cord, and the examination showed that all the deep reflexes were increased and that there was a definite loss of sensation in the arms and legs as well as diminution in strength of the extremities. There was a positive Babinski sign in each arm as well as positive Romberg test. The patient exhibited a spastic gait. The X-rays of the cervical spine showed very definite hypertrophic changes in the lower extremities with narrowed interspaces at the fifth, sixth, and seventh cervical vertebrae. There was a slight compression of the seventh cervical vertebra. In view of these findings, we felt that further investigation should be carried out, and therefore a spinal puncture was done which showed that there was a complete block of the spinal fluid and the spinal fluid protein was 50 milligrams. Lipiodol was injected into the lumbar arachnoid space and moved cephalic to a point opposite the upper margin of the sixth cervical vertebra where it was completely obstructed. In view of these findings, we felt that an exploration should be made.

On January 26 a right unilateral cervical laminectomy was performed and the sixth and seventh cervical segments were explored. We found that there had been a compression of the cord at this level and multiple adhesions were found in this area, but search in the extradural portion for tumor was nonproductive. In view of the finding of so much dense scar tissue about the cord which had produced a complete block, we felt that the symptoms were possibly related to an old compressed fracture of the seventh cervical vertebra, and the resultant spinal cord lesions were secondary to this.

Mr. Haag convalesced very nicely at St. Mary's Hospital and was permitted to be dismissed from the hospital on February 9. His neurologic recheck showed that there had been some improvement, and by the time he was dismissed from the clinic, it was our expectation that his improvement would be very slow but definite throughout the next year and a half.

G. S. BAKER, M. D.

LEAVENWORTH, KANS., *December 5, 1942.*

Re W. A. Haag, Leavenworth, Kans.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION,
Washington, D. C.

GENTLEMEN: A brief résumé of the pertinent facts of the history are as follows: First attended by me on June 25, 1941, complaining of low back pain. Past history essentially negative except on December 8, 1939, while pulling down a heavy iron door on an elevator shaft he felt a pain and snap between the shoulder blades. He was off work, following the injury, 4 days but there was soreness present upon going back to work. From that time on his back never did feel normal. He was away from work 1 or 2 days at a time on various occasions because of back pain.

I attended Mr. Haag on October 28, 1941, at which time he stated he was having difficulty walking and that his legs would jerk when relaxing. Patient first noticed on October 19, 1941, that his muscles from knees up were stiffened. He complained of a weakness in the aid of abdominal muscles to assist in the act of defecation.

Mr. Haag was referred to Dr. B. Landis Elliott, Professional Building, Kansas City, Mo., about November 1, 1941, and referred to Mayo Clinic, Rochester, Minn., about mid-January 1942. He was operated upon at Mayo's to relieve a compression of the spinal cord at about the sixth or seventh cervical segment.

He made a satisfactory recovery and returned to work March 10, 1942. He was completely disabled from October 30, 1941, to March 10, 1942.

Sincerely yours,

W. L. PRATT, M. D.

ATTENDING PHYSICIAN'S REPORT

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

Name of claimant: W. A. Haag. Sex: Male.

Home address: Leavenworth, Kans. Date of injury: December 8, 1939.

Claimant's history of injury: Felt a pain and snap between shoulder blades while pulling down a heavy iron door on an elevator shaft.

Place of employment: United States Federal Penitentiary, Leavenworth, Kans.

Date of first visit: June 25, 1941. Discharged: Yes. Date: March 10, 1942.

Findings due to trauma: Compression of the spinal cord at about the sixth or seventh cervical segment as proven by operation.

(a) Results of X-ray, laboratory examination: As shown in Mayo Clinic report.

Type and frequency of treatment provided: Medical and surgical, St. Johns Hospital, Leavenworth, Kans., October 31, 1942.

Hospitalized: Yes. Date: October 30, 1941; January 1942. Where: Mayo's, Rochester, Minn. Date discharged: February 10, 1942.

Disability (describe in terms of function): Difficulty in walking.

Disabled for work: Yes. Began (date): October 30, 1941. In bed: Totally disabled but not in bed.

Probable duration of disability for usual duty: March 10, 1942.

Diagnosis due to injury: Compression of the spinal cord at about the sixth or seventh cervical segment.

Prognosis: Good. Probable permanent effects: Slight impaired motor function of legs and impaired sensation for heat, cold.

Supplementary statement when injury is in doubt or relation to cause alleged is not clear:

Onset and sequence of symptoms before first visit December 8, 1939.

Explain medical opinion why condition found is (is not) result of injury:

Findings were consistent with history.

Signed: W. L. Pratt, M. D. Title: Physician and surgeon.

Date of report: December 5, 1942. Address: Leavenworth, Kans.

LEAVENWORTH, KANS., May 14, 1943.

CHAIRMAN, SENATE COMMITTEE ON CLAIMS,

United States Senate, Washington, D. C.

DEAR SIR: With reference to bill S. 1077 concerning William A. Haag, I wish to state that I have worked with Mr. Haag at the Federal Penitentiary at Leavenworth, Kans. for the past 14 years.

Mr. Haag advised me that he hurt his back by opening a fire door. He states that he reported the injury shortly after it occurred, but somehow the report was not properly made and the result was that he was denied compensation.

Mr. Haag consulted several local doctors but did not get any relief so he went to Mayo brothers in Rochester, Minn. where they operated on his spinal column. This relieved him to the extent that he was able to resume his regular duties, which he is now performing, but he does not now, or I doubt ever will, have the complete use of his right leg. It is necessary for him to use a cane even when walking a short distance.

There may have been an irregularity in reporting the accident, but be that as it may, I believe that Mr. Haag is entitled to compensation and should in all fairness receive it.

Respectfully yours,

A. J. ROHDE,

Inst. Foreman, Federal Prison Industries, Leavenworth, Kans.

